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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/490,859	01/24/2000	Walter Joseph Mikulski	1.827.99	7735

7590 08/08/2005
Walter Joseph Mikulski
AMCONGEN/RIMC
PSC 115
PO AE 09213-0115,
GERMANY

EXAMINER

DONNELLY, JEROME W

ART UNIT	PAPER NUMBER
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3764

DATE MAILED: 08/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Abandonment

Application No.

09/490,859

Examiner

Jerome W. Donnelly

Applicant(s)

MIKULSKI, WALTER JOSEPH

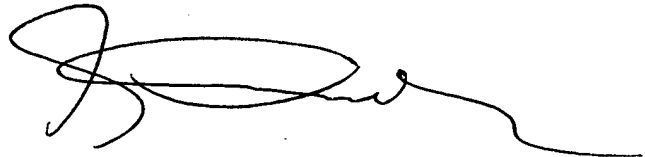
Art Unit

3764

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on _____.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☐ No reply has been received.
2. ☒ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☒ The submitted fee of \$ 685.00 is insufficient. A balance of \$ 15.00 is due.
The issue fee required by 37 CFR 1.18 is \$ _____. The publication fee, if required by 37 CFR 1.18(d), is \$ _____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:



JEROME W. DONNELLY
PRIMARY EXAMINER

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



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Send to Applicant

WALTER JOSEPH MIKULSKI
AMCONGEN/RIMC
PSC 115
PO AE 09213-0115
GERMANY

Mail Date: 02-02-05
Application Number: 09/490859

NOTICE TO PAY BALANCE OF ISSUE FEE

The issue fee payment filed on 01/07/05 has been received. Although the fee paid in the Notice of Allowance was paid, new patent fees went into effect on December 8, 2004, after the mailing date of the Notice. See the Sections 801 and 803 of the Consolidated Appropriations Act, 2005 (H.R. 4818). As stated in Section 803 of the Act, "the provisions of this title shall take effect on the date of enactment of this Act. . . the provisions of section 801 shall apply to all patents, whenever granted, and to all patent applications pending on or filed after the effective date [December 8, 2004]." Because the issue fee was paid on or after December 8, 2004, the new issue fee was due instead of the amount specified in the Notice of Allowance.¹

In accordance with 37 CFR 1.317, applicant is given a time period of **THREE (3) MONTHS** from the mailing date of this notice during which to pay the **BALANCE DUE** indicated below. The balance due is the difference between the issue fee required on the date that the correct issue fee is paid and the amount that was previously paid. This three-month time period may not be extended. If the balance due is not paid before the expiration of the three-month period, the application will become abandoned (if not issued) or the patent will lapse (if issued) at the termination of the three-month period.

App. Type	Column A Issue Fee Req. large entity / small entity	Column B Issue Fee PAID	Balance Due. Col. A minus Col. B
UTILITY or REISSUE	\$1,400.00 / \$700.00	\$ 685.00	\$ 15.00
DESIGN	\$800.00 / \$400.00	\$	\$
PLANT	\$1,100.00 / \$550.00	\$	\$

Krystal Paige
Office of Patent Publication

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A copy of this notice **MUST** be returned with payment.

CERTIFICATE OF MAILING

I hereby certify that this notice and the required additional fee are being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Printed Name: _____ Signature: _____
Registration Number, if any _____ Date: _____

¹ Applicants should check the current fee schedule posted on the USPTO Internet web site at:
<http://www.uspto.gov/main/howtofees.htm> before paying the balance due in order to ensure that the correct issue fee is paid.